United Nations S/PV.7396

Security Council

Seventieth year

Provisional

7396th meeting
Tuesday, 3 March 2015, 10.45 a.m.
New York

President:	Mr. Delattre	(France)
Members:	Angola	Mr. Gaspar Martins
	Chad	Mr. Cherif
	Chile	Mr. Olguín Cigarroa
	China	Mr. Liu Jieyi
	Jordan	Mrs. Kawar
	Lithuania	Ms. Murmokaitė
	Malaysia	Mrs. Adnin
	New Zealand	Mr. McLay
	Nigeria	Mr. Sarki
	Russian Federation	Mr. Iliichev
	Spain	Mr. Oyarzun Marchesi
	United Kingdom of Great Britain and Northern Ireland	Mr. Wilson
	United States of America	Ms. Power
	Venezuela (Bolivarian Republic of)	Mr. Suárez Moreno

Agenda

Reports of the Secretary-General on the Sudan and South Sudan

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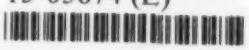

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The meeting was called to order at 10.45 a.m.

Expression of thanks to the outgoing President

The President (*spoke in French*): As this is the first meeting of the Security Council for the month of March 2015, I should like to take this opportunity to pay tribute, on behalf of the Council, to His Excellency Mr. Liu Jieyi, Permanent Representative of China, for his service as President of the Council for the month of February 2015. I am sure I speak for all members of the Council in expressing deep appreciation to Ambassador Liu and his team for the great skill and efficiency with which Council's business was conducted last month.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan and South Sudan

The President (*spoke in French*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representatives of Australia, Luxembourg, Norway and South Sudan to participate in this meeting.

The Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2015/153, which contains the text of a draft resolution submitted by Australia, Chile, France, Lithuania, Luxembourg, New Zealand, Norway, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

In favour:

Angola, Chad, Chile, China, France, Jordan, Lithuania, Malaysia, New Zealand, Nigeria, Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America and Venezuela (Bolivarian Republic of)

The President (*spoke in French*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 2206 (2015).

I shall now give the floor to those members of the Council who wish to make statements after the vote.

Ms. Power (United States of America): For the past 14 months, the United States has supported the Intergovernmental Authority on Development (IGAD) and the region in their efforts to facilitate talks between the warring parties in South Sudan aimed at reaching a comprehensive and inclusive peace agreement and establishing a transitional Government to oversee a process of reform that addresses the root causes of the conflict. While various papers have been signed, partial agreements entered into, promises made and assurances delivered, the situation has only worsened for the people of the United Nations newest country. The aspirations of the South Sudanese people have time and again been thwarted. Instead of pursuing the well-being of their people, a variety of individuals have chosen to place their own narrow political interests first, rather than making the compromises necessary to get to peace.

Resolution 2206 (2015), adopted today, supports IGAD's mediation efforts by laying the framework for targeted sanctions. Under the terms of the resolution, the parties must meet IGAD's deadlines for the resolution of all outstanding issues of the conflict and to begin the process of establishing a transitional Government of national unity. The consequences for not doing so could include the designation of senior individuals for asset freezes and travel bans, or the imposition of an arms embargo.

Having the resolution in place, with realistic deadlines based on IGAD's milestones for resolving the crisis, will, we hope, improve IGAD's chances of success in reaching a credible and sustainable peace. We are enhancing IGAD's leverage in the negotiations by sending the very clear signal to those who continue to choose war over peace that they will be held to account now, as we urge them to compromise to reach and agreement, and later, when they are considering whether to follow through on its terms.

Some have asked: Why adopt this resolution now, when IGAD is in the midst of another important negotiating round and when an agreement may well be around the corner? The answer is that the parties need to know not only that they will be held to account if they fail to compromise to reach agreement, but also that they will be held accountable on the back end if

they do again as they have done so many times before by failing to implement that to which they have signed.

Today, because of this conflict, 2.5 million people urgently need help with food, more than 2 million people have been displaced internally and as refugees by the violence, and the United Nations Mission in South Sudan, which was originally deployed to support the world's newest State, is now itself providing safe shelter to more than 100,000 internally displaced persons seeking refuge from violence perpetrated by the Government and the armed groups that oppose it. Rape and killing have become rampant, and just a few weeks ago we heard about the kidnapping of hundreds of young boys in Malakal by armed groups intending to use them as child soldiers.

Today in South Sudan, a young generation's future is quite literally being held ransom by political actors who, despite all costs, refuse to compromise. This cannot continue, and those who frustrate peace must begin to pay the price. That is why today's action by the Council is so important.

Mr. Liu Jieyi (China) (*spoke in Chinese*): As today is the Security Council's first meeting of the month, I congratulate France on its assumption of the presidency of the Council. I believe that under your leadership, Sir, the Council will be able to complete its work for this month smoothly.

I should also like to thank the members of the Council for their support and cooperation during the Chinese presidency in February.

Both parties to the conflict in South Sudan are holding political negotiations in Ethiopia, under the auspices of the Intergovernmental Authority on Development (IGAD). China supports the constructive role played by the Council in assisting the mediation efforts of IGAD. The Council has adopted resolution 2206 (2015), which sends a unanimous message to the parties aimed at helping IGAD in its push for a speedy breakthrough in the political negotiations. China appreciates the consultations being conducted by the two negotiating parties of South Sudan on the basis of the proposal put forward by IGAD, on which some progress has been made. China sincerely hopes that the two negotiating parties will reach a compromise as soon as possible on the pending issues in order to take a crucial step towards restoring peace and stability to South Sudan, which is in the fundamental and long-term interests of that country and its people.

While attending the special consultations in support of the IGAD-led South Sudan peace process in January, Foreign Minister Wang Yi put forward a four-point proposal for a settlement of the issue of South Sudan. We urge the parties to the conflict to end the fighting and violence forthwith and to establish a transitional Government as soon as possible. We firmly support IGAD in playing its mediation role in order to alleviate the humanitarian situation in South Sudan. We hope that resolution 2206 (2015) will truly help to achieve that goal.

We call on the international community to maintain its vigorous support for the good offices of IGAD and to support the countries of the region as they play their important role in addressing the issue of South Sudan. China is ready to join the interested parties within the international community in a tireless effort to promote peace, stability and development in South Sudan.

Mr. Sarki (Nigeria): Allow me first of all, Mr. President, to congratulate your delegation on its assumption of the presidency of the Council for this month. We sincerely look forward to working with you constructively towards the attainment of the programme of work that was unanimously adopted today.

We also wish to thank and commend the delegation of China for the leadership it gave to the Council in the month of February.

As we speak today, we are cognizant of the unanimous adoption of resolution 2206 (2015) by the Council. Our quest for peace and stability in South Sudan informed our decision to vote in favour of the resolution. We believe that the resolution addresses all the critical elements and issues that are impeding the return of the country to a state of normalcy. We expect it to send a strong message about the need for progress towards a peaceful resolution of the conflict in South Sudan. We stress once again that a military solution to the conflict is unattainable. Only a negotiated solution will bring lasting peace, stability and security to South Sudan.

African leaders are not standing by while the situation in South Sudan continues to deteriorate. The Prime Minister of Ethiopia and Chair of the Intergovernmental Authority on Development (IGAD) has met with the leaders of South Sudan, and in his remark, he made a very forceful observation that the world cannot stand by while the country continues to suffer.

Nigeria is encouraged therefore by the decision of His Excellency President Salva Kiir and of Mr. Riek Machar to engage in direct peace talks in Addis Ababa. We strongly urge both leaders to build on the progress made thus far in the IGAD-led peace process by demonstrating the political will to resolve all outstanding issues. We believe that a negotiated solution is within reach, and we look forward to a positive outcome from their talks, as the deadline of 5 March was agreed upon.

Mr. Iliichev (Russian Federation) (*spoke in Russian*): We, too, wish to congratulate the French delegation on the assumption of its presidential functions.

The Russian Federation voted in favour of resolution 2206 (2015), guided by the importance of supporting the Council's unity in the interest of settling the situation in South Sudan. However, we continue to feel that today's Security Council decision was hasty. No one should have any illusion that we unconditionally support the implementation of a sanctions regime against South Sudan. Our principled position is well known. We have never felt and do not feel that sanctions are an effective means for achieving a political settlement to a conflict. Today, as progress has been made in the negotiations between the warring sides, South Sudan continues to need understanding and unified support rather than pressure and threats, which could lead to the opposite result.

Moreover, we think that the practical implementation of the measures planned for by the sanctions regime would be counter-productive, at least so long as there is still hope to resolve the conflict through negotiations. Backing protagonists into a corner will not achieve anything. Restrictions can lead only to a hardening of the positions and further complicate the search for mutually acceptable solutions. In further considering the South Sudan dossier, we will have to refrain from rash decisions, especially because negotiations between the South Sudanese sides in Addis Ababa are ongoing, and any comprehensive measure taken by the Security Council will have to take into account how the truce plan, agreed upon with the African Union at the end of January, is being implemented.

In addition, the Council's decision to implement sanctions is being taken without a clear and unambiguous signal of support from key African players, first and foremost the Intergovernmental Authority on Development (IGAD) and the African Union. This breaks with the practice whereby primacy in such matters is given to Africans themselves, as was the case with Guinea Bissau and the Central African Republic. In that regard, we recall that it has been clearly stated in a number of previous Security Council resolutions on South Sudan that possible sanctions measures against that country had to be considered by the Council in consultations with interested partners, including IGAD and the African Union.

Given the lack of unified support for sanctions against South Sudan by the African capitals, including those of South Sudan's neighbours, the implementation of a Council sanctions regime might be difficult, which could have a negative impact on the Council's credibility. The primary responsibility for such a possible negative scenario would lie with those who pushed for the adoption of today's resolution in spite of our warnings.

The President (*spoke in French*): I now give the floor to the representative of South Sudan.

Mr. Deng (South Sudan): I would like to begin by congratulating you, Mr. President, on France's assumption of the presidency for this month. I would also like to acknowledge your predecessor's leadership of the Council last month.

I would now like to thank you, Mr. President, for granting me the opportunity to address the Security Council on the important issue of sanctions against my country. It would, however, be disingenuous of me to say that it is with great that pleasure that I do so.

It has been an open secret for some time that the United States was working on a draft resolutionesolution on sanctions against South Sudan. The reasons given for the threat of sanctions were the frustration and impatience of the international community with the lack of progress in the peace process. As I said in my statement to the Security Council on 25 November,

> "The frustration of the international community with the pace of talks in Addis Ababa is understandable, but a sustainable solution to the current crisis in South Sudan cannot be achieved by the imposition of sanctions" (S/*PV.7322, p. 2*).

In that statement, I went on to say,

> "It is a well-known fact that sanctions hardly ever achieve their intended objective. Instead, they only

> tend to harden positions towards confrontation rather than cooperation. We believe that the international community can play a positive role by engaging both parties constructively to expedite the conclusion of an agreement" (*ibid.*).

In any case, frustration cannot be a sound rationale for the Security Council to take such an important decision on issues pertaining to the maintenance of international peace and security. If, as is often said, the goal is not to target top leaders, but some middle-level individuals, more or less in a symbolic way, who may not be playing a pivotal role in the peace process, such a punishment may be an exercise in futility. On the other hand, punishing persons who are playing leading roles at this crucial juncture in the peace process could be counterproductive against the cause of peace. Prioritizing peace and accountability becomes a critical policy consideration.

If, as we have been made to understand, resolution 2206 (2015) is merely procedural, aimed at creating a framework for a sanctions regime and not at actually implementing sanctions, then it amounts to a threat. But a threat is meaningful only if it is credible, and if credibility means that sanctions will in fact be imposed if the parties do not make tangible progress towards peace, then the question is what positive impact such sanctions will have on the peace process. It has been repeatedly stated by Southern Sudanese leaders that sanctions threaten to undermine the peace process. The critical question is whether sanctions are a punishment for failure to make peace or an inducement for making peace. The implications of either are of critical importance. If they are a punishment, then the issue ends there. If they are an inducement, then they constitute a negative measure that can only generate a negative response and be counterproductive.

Early in December 2014, a high-level delegation of Minsters, the Minister for Foreign Affairs and International Cooperation and the Minister in the Office of the President, visited Washington, D.C., to deliver a letter from President Salva Kiir to President Barack Obama, and then proceeded to New York to brief individual members of the Security Council, other ambassadors and senior United Nations officials on developments in the peace process. The objective of the visit was to impress upon Washington, D.C., and the United Nations that, contrary to popular perception, considerable progress had been made and was being made towards ending the conflict and restoring peace and national reconciliation. The ministers reported that most contentious issues had been resolved and that the two areas where there were still differences were the structure of the Government and power-sharing arrangements. They repeatedly stated that what South Sudan needed was understanding and support, not punishment.

It is truly ironic that while President Salva Kiir has made major concessions in negotiating with the rebel movement, whose declared objective is the overthrow of a popularly elected Government, he has mostly received criticism rather than appreciation for his magnanimity. Is South Sudan going to be better off with a change of Government in favour of the rebel leaders or without their elected leaders? That is a question the Council should reflect upon in earnest. I believe in constructive criticism, but it has to be precisely that — constructive and productive.

Recent republican orders issued by President Kiir confirm his determination to do all he can to end the senseless tragedy for his country. The President has issued three orders to that end. The first republican order grants amnesty to all those waging war against the State. Some will see this as evidence of impunity, which is widely condemned, but it should also be seen as a step towards peace and reconciliation, which are universally called for. The second republican order is a declaration of unilateral ceasefire by the Government, with strict instructions to the army to fight only in self-defence, if and when attacked. That places on the rebels the moral burden of choosing between pursuing war or making peace. The third Republican order gives directives for the implementation of the Arusha agreement of 23 January 2015 on the reunification of the SPLM.

Those republican orders should help build confidence among the three parties to the conflict — the Government, the SPLM in Opposition and the SPLM former detainees — and gain the support of the international community for an early end to violence. What the President and the Government of South Sudan need is encouragement and support, not condemnation.

A lesson could be drawn from the African Union Commission of Inquiry for South Sudan, chaired by former President Obasanjo. Its report has not been released, precisely because the leadership of the African Union fears that it might have a negative impact on the peace process. In any case, now that the Security Council

has adopted the resolution on sanctions, we hope that it will refrain from actually imposing sanctions and engage the parties in a constructive dialogue to bring a speedy end to the conflict.

The President (*spoke in French*): There are no more names inscribed on the list of speakers. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 11.10 p.m.